**THE LAW CONCERNING THREE TALAAQS IN ONE SESSION IN THE LIGHT OF THE QURAAN AND THE SUNNAT**

**Detestment of Talaaq.**

Islaam takes a stringent stance on Talaaq. In one Hadith Talaaq has been interpreted as the "worst of all permissible actions" and in another hadith, "the throne of Allaah vibrates at the issuing of a Talaaq".

" From amongst the permissible things the most unpleasant is Talaaq "
( Mishkaat pg 282)
" Perform nikaah but do not give Talaaq . The Arsh(throne) of Allaah vibrates on the issuing of Talaaq." (Abu Dawood)
The above clearly illustrates that Talaaq is not a praiseworthy act in Shariat.

However there are reasons during the course of married life when Talaaq is mubah (permissible). These conditions are detailed in the books of Jurisprudence. In such situations, one Talaaq may be issued written or verbal called Talaaq-e-Rajai. With this method, Talaaq takes place but if the need arises to take the wife back, then this can be done with the least amount of discomfort.
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**Utterance of three Talaaqs.**

If someone issues three Talaaqs in one sitting, in one word for example: "I have given you three Talaaqs " or "To you three Talaaqs" or "one Talaaq two Talaaqs three Talaaqs" etc. **then according to ALL the Imaams,** and the majority of the Ulema and Imaams of Ahaadith and Fiqh(Jurisprudence), three Talaaqs have taken place and are confirmed. This is termed Talaaq-e-Mughallazah..This form of Talaaq necessitates the immediate separation between husband and wife. Reconciliation can only take place if the wife passes her period of iddat and then marries another man , with whom she has to have had conjugal relations and if he divorces her, then she must pass another period of iddat and only then can she marry the first husband. This whole procedure is called "Halaalah". There is no other method of Reconciliation other than this.
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**Ijma of Ummat on three Talaaqs.**

A great Aalim of the **Shaafi Mazhab**, Imaam Allaamah Mueenuddin Nawawi(R.A.) writes in the commentary of Muslim that **the tract of all four Imaams** , Imaam-e-Aazam Abu Hanifah (R.A.),Imaam Shaafi (R.A.), Imaam Maalik( R.A.), Imaam Hambal(R.A.) and the majority of the Ulemah is that three Talaaqs occurs when issued in one sitting . (Muslim with Nawawi vol 1 pg 478)

The famous Aalim of the **Maaliki mazhab,** Imaam Muhaqqih Muhammed Zarqaani(R.A.) writes in his book "Shah Zarqani" vol 3 pg 167, "The occurrence of three Talaaqs is the mazhab of the Jumhoor (majority) and on this is ijma of the ummat and whosoever opposes this will not be considered in any way."

Allaamah Jassas Razi **HANAFI** writes after a lengthy discussion on three Talaaqs in "Ahkaam-ul-Qur'aan", that it has been proven without any doubt and query from the Qur'aan and Ijma-e-Ummat that three talaaqs occurs.(Alai Sunnan vol 2 pg 709)

Allaamah Abu Walid Al Baaji **MAALIKI** writes in his book " Al Muttaqi" , that a person who issues three Talaaqs in one word has given three Talaaqs and these three Talaaqs are valid . (Alai Sunnan Vol 2 pg 709)

Hafiz Ibn-e Hajaar(R.A.) has also recorded Ijma of the Sahaabah(R.A) (vol 9 pg 78 Fatahul Baari). Imaam Tahavi (R.A.) has also recorded Ijma on the occurrence of three Talaaqs in one session.(vol 2 pg 29 Shah Mani-ul-Ashar).
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**Three Talaaqs in Ahaadith.**

Firstly, we present a hadith from Imaam Bukhaari(R.A.) and from his scribes regarding this law. It is the unanimity of the respectable scholars of Hadith that the issuing of three Talaaqs in one sitting, validates three Talaaqs. Thus Imaam Bukhari's verdict is also this .In a chapter on the permissibility of three Talaaqs and it's occurrence, "Bab min Ajjaz Talaaq Thalaas". Hafiz ibn-e-Hajar says in Fathul Baari(vol 9 pg 275). The purpose of this chapter of Imaam Bukhaari is to counter those who say that it is Makrooh to issue three Talaaqs whether by one word in one session or different words in one session. Thus, by the commentary of Hafiz Saahib it is apparent that Imaam Bukhari (RA) is not only to showing the permissibility of the occurrence of three Talaaqs, but expressing that three Talaaqs occur in one session also. Thus Imaam Bukhaari's first proof is from the Qur'aan as stated by Allaah:
"Talaaq is twice, after that either hold together in harmony and justice or separate with kindness and agreement." (by giving three Talaaqs) Surah Baqarah verse 229.
Hafiz Saheb says that Hadhrat Imaam Bukhari (RA) by this chapter classification has intended the occurrence of three Talaaqs whether given together or separately.
This Aayat is a proof for those who reject three Talaaqs, for the occurrence of three Talaaqs is clearly proven in the Shariat. ( Fathul Baari vol 9 pg 278).

Allaamah Tibraani (RA) says in Sahih Bukhari (ibid) that by the Aayat presented Imaam Bukhaari the method of deduction is as follows : Allaah has given permission of the issuing of two Talaaqs combined. Thus to give three Talaaqs at one time or with one word is also permissible and valid. This is the demands of analogy.

Underlying are the Ahaadith concerning three Talaaqs with which the scholars of Ahaadith and the Fuqahaa prove the occurrence and validity of three Talaaqs in one session.

Hadith No. 1

When they had finished their Liaan, Uwaamir said "O Rasulullaah, If I were to retain her as a wife, then I have spoken a lie. So he divorced her thrice before Rasulullaah (S.A.W.) ordered him. Ibne Shihab said so thereafter divorce was the tradition for all those involved in Liaan. (Bukhaari vol 2 pg 791)

Hadhrat Imraan Uwaimir(R.A.) came in the presence of Rasulullaah(S.A.W.) after completing the Liaan thinking that perhaps he will get his wife back after giving her three Talaaqs in one session. This Hadith proves that three Talaaqs are valid in one sitting since it was accepted in the presence of Rasulullaah (S.A.W.) Also three Talaaqs result in total separation. Rasulullaah's (SAW) non comment is considered as permissible by way of Taqreer (speech).It was also understood among the Sahaabah(R.A.) that if three Talaaqs are given at one time then it is valid. Hadhrat Imraan (R.A.) intended total separation by using three Talaaqs although Liaan in itself is a cause of separation. If three Talaaqs were not uttered at one time, Rasulullaah(S.A.W.) should have definitely have commented but in no narration can any comment be found by Nabi(S.A.W.). It is stated in "Alai Sunan vol 2 pg 806" that "in no narration of Rasulullaah(S.A.W.) has any comment been recorded . This is clear proof of the validity of three Talaaqs in one session."
It is further written (ibid) that Imaam Bukhaari(R.A..) has taken the same meaning as the majority of the Ummat meaning that three Talaaqs with one word is valid.
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Hadith no 2
Hadhrat Ayesha(R.A.) narrates that the wife of Rifa al Qurazi came to Rasulullaah(S.A.W.) and said O Rasulullaah, Rifa has divorced me irrevocably. Thereafter I married Abdur-Rahmaan bin Az-Zubair-Al- Quraizi, who is impotent.
Rasulullaah(S.AW.) said to her "Perhaps you want to return to Rifa. You cannot return until you taste of Abdur Rahmaan and he tastes of you.(until you consummate the marriage). (Bukhari vol 2 pg 791)
This means to have a physical relation so that the head of the penis is inserted even if ejaculation does not take place.

It is clear from this Hadith that irrevocable divorce means three divorces. (Imaam Bukhari (RA) indicates the strongest statement of Rasulullaah 'LAA HATA YAZUGU" denotes that Talaaq-e-Mughalllaza has taken place. It also means that in no other way can the woman who has been divorced in this manner return to her former husband other than by Halaalah.
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Hadith no 3

It has also been narrated very clearly by Hadhrat Ayesha(R.A.) in Bukhari that "A man divorced his wife three times." In this we also find proof of three Talaaqs in one session. Concerning this Rasulullaah(S.A.W.) stated the order of Halaalah. Furthermore there is no indication in this hadith whether Talaaq was given every month or in every state of purity.
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Hadith no 4

Hadhrat Yahya narrates from Maalik that one person came to Hadhrat Abdullaah bin Abbaas(R.A.) and stated that I have given my wife a hundred Talaaqs. Please comment on this? What is your opinion? Hadhrat ibn-e-Abbaas said " By three Talaaqs your wife has been divorced and you have mocked at the law of Allaah with the other ninety seven. (Talaaqs). (Alai Sunnan vol2 pg 808) ( Muatta Imaam Maalik (R.A.)
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Hadith no 5

One person asked Hadhrat Ibn-e Mas'ood(R.A.) concerning one who gave his wife a hundred Talaaqs. Ibn-e-Mas'ood answered that "by three Talaaqs, the wife has become Haraam (prohibited) and the remaining ninety seven have become a cause for sin."
( Musnaif Ibn-e-Shaibah vol 4 pg61 )

Similarly the statements of Hadhrat Umar, Ali, Uthmaan, Ibn-e-Abbaas and Mughirah bin Shaibah all show that more than three Talaaqs in one session result in three valid Talaaqs. In fact, Hadhrat Umar(R.A.) used to even strike the person doing so with a whip. ( Ibne Shaibah vol 4 pg 62. )

It is clear from this that it was famous and known in the era of the Sahaabah to issue three Talaaqs for Talaaq-e-Mughallazah and thousand was stated for emphasis or these words (100 - 1000) are stated in anger.
One person passed a thousand Talaaqs to his wife. Hadhrat Umar(R.A.) asked him,"Did you really give Talaaq. The person replied, "Yes, but I was only joking." Hadhrat Umar(R.A.) lifted his whip for striking and said." Three is sufficient for you." (Ibn-e-Abi Shaibah vol 4 pg 62.)

Hadhrat Ibn-e- Abbaas (R.A.) ruled about one person who gave his wife a thousand Talaaqs that " with three Talaaqs the wife has become Haraam and the remaining Talaaqs are a sin upon you, for you have mocked the law of Allaah." ( Alai Sunnan vol 2 pg 808.)
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Hadith no 6

Hadhrat Hasan bin Ali (R.A.) gave on one occasion his wife three Talaaqs and then regretfully said :"I have heard from my father who quoted Rasulullaah(S.A.W.) who is my grandfather, that the person who issues three Talaaqs in purity (i.e. when the wife is paak-pure) or issues it at one time ,is not permitted to take her back until "Halaalah" takes place. If this was not so then I should definitely have taken my wife back.. (Alai Sunnan vol 2 pg 805) . This is yet another proof of the validity and the seriousness of three Talaaqs.
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Hadith no 7

Allaamah Nawawi(R.A.) states the Hadith concerning Rukana(R.A.), who gave his wife the absolute Talaaq. Rasulullaah(S.A.W.) asked him to swear an oath whether he meant one. He replied that he meant one on oath. This again proves that there is a difference between one and three Talaaqs and the seriousness of the implications of this difference or else there would be no need to make him swear on oath. Those who refute these proofs quote a weak narration where three clear divorces are mentioned, but since it is a weak narration, one cannot deduce from it.(marginal notes of Muslim

vol 1 pg 478).
Allaamah Nawawi (R.A.) states further that "absolute" could mean one or three. He also states that the narrator of the hadith wherein three clear divorces are stated has narrated it inclusive of it's meaning (Bil Mana) thinking that three is meant whereas to do this is incorrect. The intention of the speaker (in this case ) is valid. This is why Rasulullaah(S.A.W.) made him take an oath. Hafiz Ibn-e-Habbaan has recorded in his Sahih these words,"this is upon what he intended." (Ibn-e- Habbaan vol 6 pg 235).
Hadith no 8

Faatimah bint-e-Qais (R.A.) says that she went to Rasulullaah(S.A.W.) and stated that she was married in the family to a certain person and her husband divorced her. She asked her husband for maintenance and home. He refused. Rasulullaah (S.A.W.) said that there is no maintenance and home when the husband gives three Talaaqs at one time. There is maintenance and home when he gives Talaaq-e-Rajai (reconcilable Talaaq)" (Nisai vol 2 pg 100)
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Hadith no 9

Abdullaah Samit (R.A.) narrates that one of their forefathers gave his wife a thousand Talaaqs. Then proceeded to Rasulullaah(S.A.W.) to inquire about the law regarding our forefather having given his wife a thousand Talaaqs and if there was any way out. Rasulullaah (S.A.W.) said "Did he not fear Allaah for there is no way out. With three Talaaqs the woman is absolutely divorced and this is against the Sunnah and with the remaining nine hundred and ninety seven Talaaqs has made a burden of sin on his neck. (Mujamul Tabraani, Mujamul Zawaahid vol 4 pg 367)

Allaamah Hashimi (R.A.) says that Abdullaah bin Walid al Wasafi is weak (one of the narrators) but Imaam Ahmed bin Hambal(R.A.) states that he wrote famous Ahaadith, (Mizaanul Adaal vol 3 pg 17). Therefore his narrations can be presented as emphasis.
This narration is also in (Sunnan Dar Qutni vol 4 pg 25 and Musanif Abdur Razack vol 6 pg 393)
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Hadith no 10

Muhammed bin Labid (R.A.) narrates that Rasulullaah (S.A.W.) was asked about a person who divorced his wife absolutely three times in one session. Rasulullaah(S.A.W.) angrily stated that people are playing with the Kitaab of Allaah and I am present? Until one person rose and said, "Ya Rasulullaah, should I not kill him?" (Nisai vol 2 pg 99. And Al Jawher Naqi alal Bahaqi vol 7 pg 333) Hafiz Ibn-e-Hajar (R.A.) says that the narrators are reliable (Fathul Baari vol 9 pg 362.)

The most significant proof is that it is against the Sunnah and resulted in Rasulullaah(S.A.W.)'s anger. What is NOT proven is that he denied the validity of three Talaaqs. The mere fact that he became angry proves that three Talaaqs are valid.

Hadith no 11

Hadhrat ibn-e Umar (R.A.) asked Rasulullaah(S.A.W.) that if he divorced his wife three times in one session, then can he take her back. Rasulullaah (S.A.W.) said"Now you are absolutely separated, to do so (take her back) is sin."
( Majamul - Zawaaid vol 4 pg 336 )
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Hadith no 12

Hadhrat Ali (R.A.) narrates that Rasulullaah(S.A.W.) heard of someone who gave his wife the absolute Talaaq. Rasulullaah (S.A.W.) became angry and said "Do you make fun of the Aayat of Allaah or mock at the Deen of Allaah? He who gave absolute Talaaq necessitated three Talaaqs and therefore the wife will not be permissible for that husband until Halaalah takes place." (Sunnan Dar

Qutni vol 4 pg 25)

Besides these, there are many Ahaadith and statements of the Sahaabah(R.A.) denoting the validity of three Talaaqs in one session. From these narrations the following is evidently clear.:
1) Three Talaaqs in one session results in three valid Talaaqs.
2) The wife so divorced becomes absolutely Haraam for the husband who issued such Talaaq.
3) The only permissible way in which she can be taken back is after Halaalah.
4) There is consensus (ijmai) on this law.

Allaamah ibn- Humam(R.A.) says:-
" Approximately more than twenty Fuqahaa - Sahaabah, the noteworthy among them, the Khulafaa-e-Raashideen, the four Ubadahs, Zaid ibn-e-Thabit Maaz ibn-e-Jabal, Ayesha, Anas, Abu Hurairah etc. It is known from their Fatawahs that three Talaaqs are valid. No one disputes with them. After Haqq ( truth ) there can only be Baatil(falsehood). If any Muslim Hakim or Qazi rules that one Talaaq takes place when three Talaaqs were uttered, then his ruling will not be enforced or acted upon, for there is no "ijtehaad" ( to draw analogy etc. ) in this matter. This (3 is 1) is a contary decision not a difference of opinion. (Alai Sunnan vol 2 pg 709)

Hafiz Abdul Barr (R.A.) says that only the deviated and the misled are against this ruling. Imaam Khatbi (R.A.) says that only the Khawarij and the Rawafiz hold the opinion that three Talaaqs at one time equal one only. Ibne Hajr(R.A.) says that those who go against the proofs and the Ijma and who dispute against the unity of the Jamhoor(majority) are not to be taken into consideration. (Alai Sunnan vol 2 pg 712)

**Appeal**

Now is We must emphasize that this rule enjoyed such unanimity amongst the Ulema-e-Ummat that there was no room for differences. From the era of the Sahaabas and upto about two hundred years after, this rule was transmitted with unanimity. Allaamah Ibnne Taymiah was the first to raise his pen and suddenly cast his awe on the consensus of opinion. From this time onwards the differences of opinion arose. The great and elderly Ulema of that time such as Abu Hassan al Subki, Hafiz Ikmal, Allama Zamlakni, Hafiz Ibne Hubail, Ibnee Farkah, Allama al izzu ibnul Jamah and Hafiz Taqi al Hassen etc.refuted his opinion.

It is therefore clear that a ruling which has a great majority on one side and the research of only one Aalim against it, which is contrary to the research of all the old and new elders .The the research of one will not be accepted.
Furthermore, it is stated in Fatawah ibne Taymiah that this decision is amongst the "exceptions" of Ibne Taymiah. Thus it will definitely not be accepted.
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**Answers to the opposition.**

Here we present the proofs for those who say that three Talaaqs is one so that it becomes very clear that it is NOT correct to say that three Talaaqs are equal to one.
Reliable narrations and the Fatawah of the Sahaabah have already been mentioned . There remains two Ahaadith.
1) The Hadith of Hadhrat Ibne Abbaas(R.A.) from Abu Dawood and Muslim.
2) The Hadith of Rukanah (R.A.) from Abu Dawood and Tirmidhi.
Imaam Abu Dawood (R.A.) has recorded the Hadith of Hadhrat Ibne Abbaas (R.A.) via a numerous chain of narrators. In one chain, Ibne Abbaas himself answers:-
Thaus says that a person used to question Ibne Abbaas alot. Once he enquired that if a person gave his wife three Talaaqs at one time, but did not yet consummate the marriage through intercourse, then in the era of Rasulullaah(S.A.W.), Abu Bakr (R.A.) and in the beginning of the era of Umar (R.A) was it classified as one? Hadhrat Ibne Abbaas replied " If any person gives three Talaaqs to the one whom he has not yet entered, then one Talaaq will occur, BUT people began to become neglectful and unmindful and therefore Umar(R.A.) enforced three. (Abu Dawood vol 1 pg 306)
It is absolutely clear from this that the rule "three is one " is not general but only applies to the limited amount of people who do so before consummation of the marriage. People began drawing incorrect conclusions by applying it to all situations with the intention of starting anew. This is why Hadhrat Umar(R.A.) reinstated the original rule and forced the people on it. Furthermore, because

this happened in the presence of the Sahaabah without refutation, upon this is Ijma(consensus).
**Hadhrat Umar(R.A.) instituted the original order.**

Hadhrat Umar (R.A.) instituted the original order and did not resort to any wayward interpretation. In the era of Rasulullaah (S.A.W.) and Abu Bakr (R.A.), the emphasised intention was accepted for it was during that era of safety. Later on this deteriorated and the intention of starting anew was regarded as the emphasis and this was the prevalent intention. Thus Hadhrat Umar(R.A.) instituted the original order. He did not issue an order from his own pocket or for any political reasons as stated by his opposers.
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**The Second Answer.**

This is for the one with whom marriage has not been consummated. One answer is that the narration where three equals one is for the women with whom marriage has not yet been consummated. In the era of Rasulullaah(S.A.W.), the wife with whom physical intercourse had not yet taken place was divorced by saying "anti Talaaqun" three times. In this case, the Talaaq falls with the very first pronouncement and the second and third do not fall. This is contrary to the age of Hadhrat Umar(R.A.) where the meaning relating to emphasis was refuted and when it was announced that this equals three which is the original law. This answer has been taken from Sunnan Imaam Nasai(R.A.) who labelled a chapter "The Chapter on three separating divorces before entering the wife."
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**The decision of Hadhrat Umar(R.A.)**

As stated previously, the decision of Hadhrat Umar(R.A.) was based upon Shari rule (usul). Furthermore he enforced this original order in the presence of the Sahaabah and none of them objected to it. In fact they themselves subsequently ruled the same unanimously. Even Hadhrat Ibne Abbaas (R.A.) (who the Ahle Zahir of those who maintain that three is one boasts about) ruled himself that three is three in one session. Imaam Abu Dawood (R.A.) himself narrates the incident in this way:

Mujahid said" I was with Ibne Abbaas. A man came to him and said that he divorced his wife three times in one session. Ibne Abbaas remained silent for a while. **I thought he was going to return her to him.** He then said, "A man goes and commits a foolish act and then says, " Oh Ibne Abbaas! Oh Ibne Abbaas! , and Allaah says,"And for those who fear Allaah, He prepares a way out." Since you did not keep your duty to Allaah, I do not find a way out for you. You have disobeyed your Rabb, and your wife has been separated from you." ( Abu Dawood vol 1 pg 299)
When Ibne Abbaas himself rules that three Talaaqs in one session amounts to three, then obviously the previous opinion will be his first opinion and this is his last opinion, otherwise he would not have paused for a while before making his decision.

"Ibne Abbaas earlier held that three pronouncements of divorce in one sitting make one divorce. Later on he withdrew his opinion and held that three pronouncements make three and not one. (Awn-al-Ma'bood vol 2 288)
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**Hadith regarding Rukana (R.A.)**

Now we present the second proof, the Hadith of Rukana(R.A.), which the Ahle Zahir and Ibne Taymiah(R.A.) use. Rukana (R.A.) divorced his wife three times in one session, after which he was embarrassed and regretful. Rasulullaah (S.A.W.) asked him whether he had given three Talaaqs in one session. He replied "Yes". Upon this Rasulullaah(S.A.W.) said "It is one , so go back to your wife. (Musnad Ahmed vol 1 pg 265)

**Answer:**

The answer to Hadhrat Rukana(R.A.)'S hadith is that it has various narrations . In some it is quoted as "I divorced my wife three times." and in others "I have divorced my wife" absolutely" (Al Batata)". as in some ahadith. (Abu Dawood vol 1 pg 300 ).

Imaam Abu Dawood has given preference to the narration which uses the word "Absolutely" for the following reasons:-
1) This Hadith has been narrated by his own family members who have more knowledge.
2) The Hadith which states "absolutely",has no variants.
3) The Hadith stating "three Talaaqs" is "mustarrabb ", as it has differing narrations. In some, the giver of the Talaaq is Rukana. In others it is Abu Rukana.
3) It is also a weak narration. Allaamah Nawawi (R.A.) says that "the narration is weak due to a unknown family narrating it" (Sahih Muslim vol 1 pg 478 ). Allaamah Ibne Hazm (R.A.) also says so in his book Al Mahli vol 10 pg 168.

When it has been proven that Rukana said " You are divorced " absolutely"", then one will fall. For by the word "absolutely", one or three could be meant, depending on the intention. Furthermore, Rasulullaah(S.A.W.) made him take an oath regarding his intention. This illustrates the seriousness of the intention, since if he meant three, then Rasulullaah(S.A.W.) should have stipulated the validity of three.

**A Political or Shari Order ?**

Mufti Azziz-ur-Rahmaan (R.A), Chief Mufti of Darul Uloom Deoband answered the question of whether the rule of Hadhrat Umar(R.A.) was not based on Shar'i Law but on political order. His answer is that Muslim who states the above regarding the Ijma of the Sahabah(R.A.) and Hadrat Umar(R.A.)"s Fatawah is an ignoramus and misled. Hadhrat Umar(R.A.) ruled in accordance with Nusus-e-Sharia. (categorical text of Shariah.) ( vol 9 pg 326 . Fatawa Darul Uloom - Deoband.).
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**One Delusion.**

A book called "Fatawa - Rashidiyya ba Tarteeb Jadeed" has been published. In it the Fatawas of the famous, the unknown, the Hanafi and the Ahle Hadith are presented. The delusion concerning the three Talaaqs is also presented. The tactics of the delusory method is as follows. First, the views of the non conformists (ghair Muqallideen and the non famous regarding the three Talaaqs are recorded. After this, the Fatawa of Hadhrat Gangohi (R.A.) is misrepresented to imply three Talaaqs being one. One having trust and faith in the pious ulema, are thus deluded into thinking that the incorrect Fatwas preceding Hadhrat Gangohi's "Fatawa" are sanctioned by him and thus credibility is extracted for that which is not sanctioned. One must be very cautious of such books. This is a new method of delusion, deception, and creating misunderstanding.
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**The reality of Fatawa Abdul Hayy (R.A.)**

Another delusion is created from the Fatawa of Moulana Abdul Hayy(R.A.) Luknowi stating that he altered his Mazhab and gave permission to make Taqleed ( follow) others, and also that he has classified three Talaaqs as one.

This gross deception is falsified hereunder:-
Moulana Abdul Hayy's own Fatawa that three Talaaqs in one session amounts to three is present in his own Fatawa Kitaab.
He says: Answer "In this case, according to the Hanafi's three Talaaqs is validated and without "Halaala", marriage is not proper. (Fatawa Darul Uloom Deoband)

Examine, closely the details of this deception in Fatawa Darul Uloom Deoband.
Moulana Abdul Hayy himself writes "According to the Hanafi's marriage with the first husband cannot take place without Halala". Note that if there was a mazhab which allowed such an act without Halala, he would have mentioned this later. He did not mention the Imaam of any other Mazhab as having said that there is no need for Halala, or having given a contrary ruling to this one.
In reality, this law is "Nass Qati" (categorical text.). In this case, the need for Halala is thus proven and NO Imaam has advised that it is correct to act contrary to the laws of Halala is permissible. Moreover, this law is proven by Ijma.

(Fatawa Darul Uloom Deoband vol 9 pg 328)
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**Ignorance and Not Knowing.**

These days, such books are being printed that cause errors of understanding amongst the simple and the uneducated. This is the case with the issue of three Talaaqs as well. So dangerous is this condition that for example, the people of Indo-Pak feel that until and unless three Talaaqs are not issued, divorce does not take place. In these circumstances, it is better to regard this as emphasis ( know that 3 is valid ). This is the result of not knowing and being ignorant. of the law. **One must know that the law does NOT change due to ignorance of it.** It is therefore of utmost importance to eradicate ignorance in this regard, so that the correct and Shar'i method of the Talaaq procedure is understood by all. For this, all means of preaching and propagating are necessary. When there is clear categorical Shar'i text in the law, then alteration of the law is not a cure for ignorance of it. Some Muslim States have ceded to this ignorance to such an extent that they are promoting a scheme to render three Talaaaqs as one. This method of removing ignorance is totally erroneous. What should happen, is that a plan should be made to eradicate ignorance thereby removing this weakness and the status of the Shariat remains intact. There is, after all no limit to ignorance and of those who do not know. If we resort to altering the law each time, when and where will we stop.
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**The Fatawa of the elders of Deoband.**

Besides the Ghair Muqallideen and the Ahle Zahir, the elders of Deoband and in fact, all the Darul Ifta's of Indo-Pak regard three Talaaqs in one session as three. However, it is the influence of some modernists who claim that three Talaaqs should be classified as one due to the ignorance of the people. As stated previously, to follow this is to sink into utter darkness and sheer misguidance. One group has tried to alter the law in adherence to their baser, inner whims and fancies. The Ulema, such as Allaama Ibne Humam, Shami and others, have interpreted this as misguidance.
The Fatawa of Hadhrat Gangohi (R.A.) has been presented.
One person enquired from Hadhrat Thanwi(R.A.) concerning " Jahil Talaaq" (Talaaq due to ignorance) presenting ignorance as an excuse.
This implies that all the statements of Hadhrat Umar(R.A.) are erroneous just because of someone's ignorance. The rulings of all the pious Allaah fearing elders should be changed because of some people's ignorance. It implies that the elders are erroneous and the ignorant person is so great as to cause a change in the laws of Shariat without there being any correct or convincing basis for this. In fact it advocates changing the law in spite of the unanimity and consensus of even the Sahabah(R.A.).

In Imdadul Fatawa, vol 2 pg 391, it is stated that such thinking implies that " All statements of Hadhrat Umar (RA) are erroneous---------i.e. because the thinking of Zaid is ignorant, not erroneous, to think it is error tantamounts to saying Hadhrat Umar (RA) is in error " and IGNORANCE IS NOT AN EXCUSE IN SHARIAT."

In another place Hadhrat Thanwi(R.A.) answers that " To regard three Talaaqs as one is against the Mazhab of the 'Jumhoor'*(majority) and the Jumhoor have refuted those proofs stating three Talaaqs as one. Furthermore, it is for the Ulema to understand the strengths and weaknesses of proofs.
For the common man, the path is easy. If the divorce giver conforms to any of the four Mazhabs i.e. the Mazhab-e-Arabaa - the four Mazhabs are unanimous about the validity of three Talaaqs in one session. (Imdadul Fatawa vol 2 pg 397).

Fatawa Darul Uloom Deoband records one question wherein the husband gave his wife five Talaaqs in anger thus: "Talaaq, Talaaq, Talaaq, Talaaq, Talaaq. In answer , it was stated that in this case three Talaaqs have fallen.(vol 9 pg 202).

Question 341. Someone said in anger: one Talaaq, two Talaaq, three Talaaq.
Answer . Three Talaaqs have become valid. upon the wife and she has become 'Baina Mughallaza.' (ibid pg 310)

Question 313. If one gave three Talaaqs in one session and intended only one but stated it three times for emphasis, then what is the case?
Answer. To give three Talaaqs in one session validates three and the Qazi will not consider the intention of emphasis and neither will the woman consider it. She will regard it as three. (ibid pg 292)
See also Fatawa Mahmoodia vol 4 pg's 41, 51, and 52.

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**Summary**

1. Three Talaaqs given in one session is classified as three according to the Jumhoor (majority) Sahaabah, Ulema, the four Imaams, Muhadditheen, the old and new scholars, and their proof has been from the Qur'aan and the Ahaadith.
2. This law is based on Ijma. Therefore, anyone differing from this, is in effect opposing it. Anyones opinion or any differing decision of any Qazi stating three to be one, will not be reliable. To act against Ijma is misguidance.
3. As Hadhrat Ibne Abbas (RA) himself gave a Fatawa that three Talaaqs at one sitting is three.
4. To lean and present an excuse of emphasis and common usage is gross delusion.
When common usage goes contrary to the laws of 'Nass' and 'Ijma' then that which goes against 'Nass' 'and Ijma' is not reliable.
5. Besides the elders of Deoband, all the pious respectable persons of Deen such as Moulana Abdul Hayy Luknowi (R.A.) are also in conformity with Ijma.
6. Rabital Islaam, the International group of the Arabs has also issued a Fatawa that three Talaaqs in one session is three.
7. The opinion of the 'Ghair Muqallids' regarding all this proof to be limited to the Mazhab of Imaam Abu Hanifa(R.A.) is a weak attempt to back up a weak scheme and is a great delusion. The reality is that all the Imaams are unanimous regarding this issue.
8. Ignorance of the Shariat is no excuse. Even after not knowing the law, if one issues three Talaaqs it will amount to three.
9. The enforcement by Hadhrat Umar(R.A.) is not his own isolated decision but an original order and a Shar'i ruling which was accepted by all the Sahaaba without any objection.
10. The laws of Islaam have been formulated to prevent man from making a mockery of Deen. One must realise the importance and significance of the fact that issuing three Talaaqs is not a joke or a trivial matter to be treated lightly as it ridicules the woman in question, the institute of marriage and the whole spirit of Islaam. If an end is not put to men treating the laws of Shariat as being flexible to their weaknesses then after a while we will revert to the pre- Islaamic era, where women were divorced at every pretext and then taken back un-ashamedly. That which was created to prevent irrational behaviour when in anger, will serve exactly the opposite purpose.

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